

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Allstate Insurance Company et al., Plaintiffs, v. Pennsylvania Chiropractic Services Corp. et al., Defendants.	CIVIL ACTION NO. 16-1318
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ORDER

AND NOW, this 24th day of October 2016, after review of ECF 48, ECF 51, ECF 52, and ECF 54, and for the reasons stated in the accompanying memorandum, it is hereby **ORDERED** that Allstate's Motion to Dismiss (ECF 51) is resolved as follows:

- As to Counts One and Two of the Counterclaims, Allstate's Motion is **DENIED**.
- As to Counts Three and Four, Allstate's Motion is **GRANTED**. Count Three is **DISMISSED WITH PREJUDICE**; Count Four is **DISMISSED WITHOUT PREJUDICE**. Counterclaim Plaintiffs have 14 days from the date of this order to amend their Complaint.

Further, the Court has considered Allstate's Motion for Sanctions (ECF 55) along with the response and reply thereto, and finds that Counterclaim Plaintiffs' conduct in this case does not warrant imposition of sanctions. Allstate's Motion for Sanctions (ECF 55) is **DENIED**.

BY THE COURT:

/s/ Michael M. Baylson

MICHAEL M. BAYLSON, U.S.D.J.